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February 23, 2017

By Electronic Filing

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: *Ex Parte Communication, GN Docket No. 12-268 (Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions), MB Docket No. 16-306 (Post Incentive Auction Broadcast Transition Plan)*

Dear Ms. Dortch,

This letter is submitted, pursuant to Section 1.1206(b)(1) of the FCC's rules, to notify you of a meeting held February 21, 2017, among representatives of American Tower Corporation ("ATC") and the FCC staff. The meeting was intended to update the staff regarding the steps ATC has undertaken to prepare for the repack of TV licensees following the Incentive Auction. Representing ATC were Peter Starke (Vice President – Broadcast) and James Stenberg (Principal RF Engineer); Joseph Davis, PE, of Chesapeake RF Consultants; and ATC's undersigned counsel. Attending the meeting in person from the FCC staff were Julius Knapp, Ira Keltz, Mark Columbo, Martin Doczkat, Geraldine Matisse, Matthew Hussey, and Walter Johnson. ATC discussed the issues identified in the attached presentation. Please contact the undersigned if you have any questions.

Sincerely,

/s/Christine M. Crowe

Christine M. Crowe

Jonathan V. Cohen

cc: Julius Knapp                      Geraldine Matisse  
Ira Keltz                                Matthew Hussey  
Mark Columbo                        Walter Johnson  
Martin Doczkat

# **FCC – OET Meeting**

**American Tower Repack Planning**

## **Broadband Antenna Program**

**February 21, 2017**

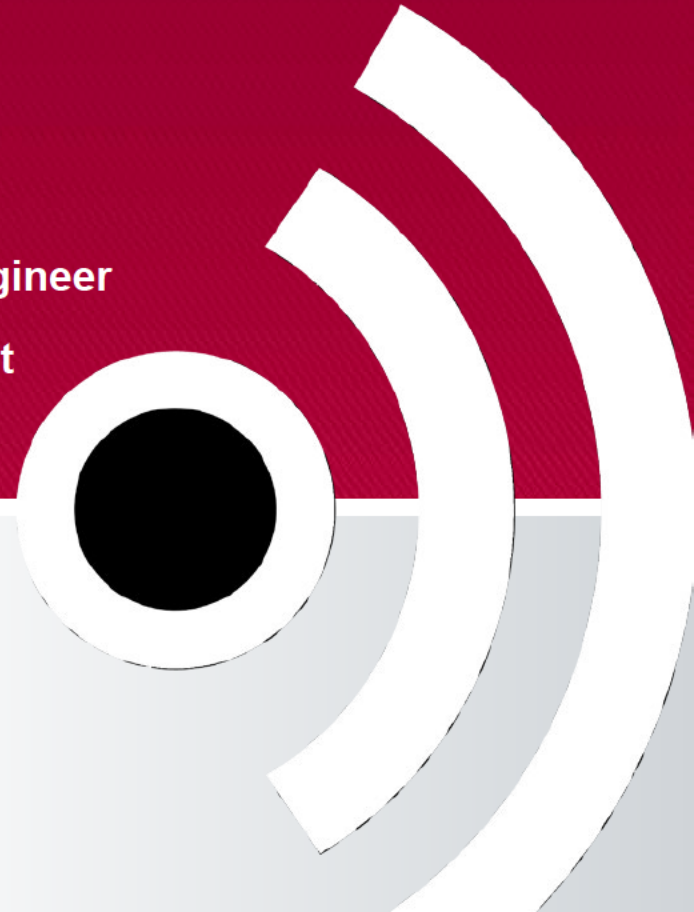
**Peter Starke, American Tower Corp, VP Broadcast**

**James Stenberg, American Tower Corp, Principal RF Engineer**

**Joseph Davis PE, Chesapeake RF Consultants, President**



**AMERICAN TOWER®**



# Agenda

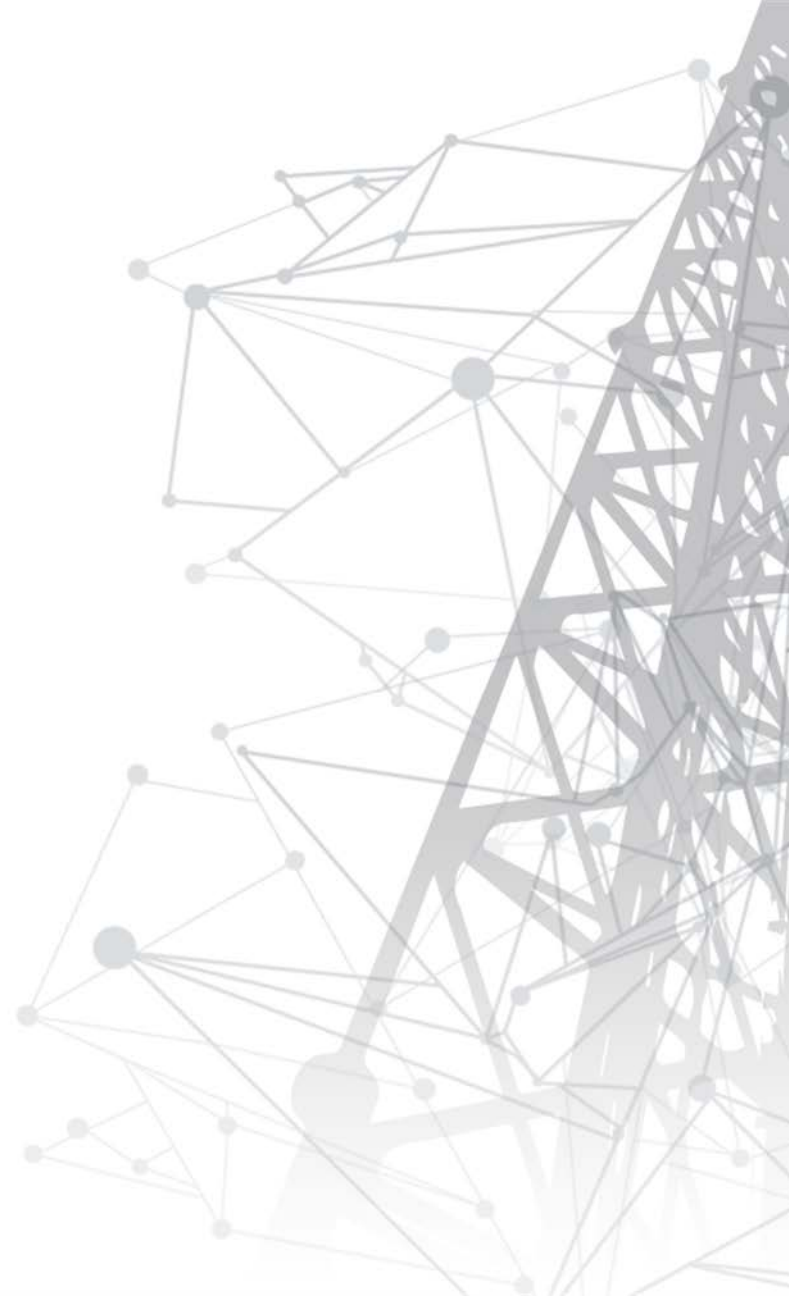
## Background

- › ATC TV Portfolio
- › Existing BBA's
- › New BBA plans

## Case Studies

- › Boston
- › Los Angeles
- › Dallas
- › Houston

## Conclusions



# ATC Desire

## › Get clarity on:

- › Requests for Waiver of Construction Permit Filing Deadlines
- › Inability to construct criteria
- › Obtaining Priority Status
- › Ability for stations to move early on channel changes

## DA-17-106 Section III A 5 para 24-26

### 5. Requests for Waiver of Construction Permit Filing Deadline

8 Reassigned stations and band changing stations that determine they are unable to construct facilities that meet the technical parameters specified in the *Closing and Reassignment Public Notice* within the permissible contour coverage variance discussed in Section III A 1, as well as stations unable to meet the 90-day filing deadline, may seek a waiver of the deadline.<sup>36</sup> For stations unable to construct, requests for waiver of the 90-day filing deadline must be filed no later than 30 days prior to the deadline.<sup>37</sup> Stations must submit their waiver requests in the form of a request for a legal STA via LMS, in accordance with the instructions contained in Appendix A. Stations should also send an electronic copy of the request via email to: [IATransitionlicensing@fcc.gov](mailto:IATransitionlicensing@fcc.gov). The staff will notify each requesting station of the grant or denial of a waiver. A station whose request is denied must submit its application no later than the 90-day deadline. Failure to do so may result in the imposition of a forfeiture or other sanctions.<sup>38</sup>

9 We will look most favorably on requests demonstrating that, due to extraordinary technical or legal issues beyond the station's control, it is impossible to construct the facility specified in the *Closing and Reassignment Public Notice*.<sup>39</sup> This could occur, for example, if a station is unable to construct a compliant facility on its current tower and a replacement tower cannot be constructed from which the station would be able to meet the specified technical parameters.<sup>40</sup> A station granted a waiver under this "unable to construct" standard will be allowed to file an application for a construction permit for an alternate channel or expanded facilities during the first priority filing window described below.<sup>41</sup>

<sup>36</sup> Stations that anticipate being unable to timely file their initial applications for construction permits for other reasons may seek a waiver at any point prior to the 90-day deadline. Waivers must be filed as a request for legal STA via LMS pursuant to the instructions contained in Appendix A and include a showing pursuant to the "good cause shown" standard in Section 1.3 of the Commission's Rules. See 47 CFR § 1.3. The Commission may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. See *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990) (*Northeast Cellular*). In addition, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. See *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, 897 F.2d at 1166. Waiver of the Commission's rules is appropriate only if both (i) special circumstances warrant a deviation from the general rule, and (ii) such deviation will serve the public interest. See *id.* Given the tight transition time frames, we do not anticipate granting a waiver of this deadline to stations, other than those in the "unable to construct" category, absent a showing that the licensee was unable to meet the filing deadline due to rare and exceptional circumstances.

<sup>37</sup> *Incentive Auction R&O*, 29 FCC Rcd at 6791, para. 546.

<sup>38</sup> As the Commission explained previously, the fact that a station intends to file for an alternate channel or expanded facility does not constitute "good cause" for a waiver of the filing deadline. *Id.* at 6761 n.1551.

<sup>39</sup> *Id.* at 6794, para. 554.

<sup>40</sup> *Id.* at 6794 n.1571.

<sup>41</sup> See Section III. B.; see also *Incentive Auction R&O*, 29 FCC Rcd at 6794, para. 554; 47 CFR § 73.3700(b)(iv)(A). A station in the "unable to construct" category that is granted additional time to file its construction permit application will also be granted additional time to submit a reimbursement form detailing its estimated relocation costs (FCC Form 2100 – Schedule 399). See Section VI. The reimbursement form will be due within 30 days of receiving a construction permit for an alternate channel or expanded facilities. See *Incentive Auction R&O*, 29 FCC Rcd at 6823 n.1754.





# ATC – TV Transmission Facilities

- **357** Full Power and Class A stations operate on owned, managed, & leased sites
- **175** towers with at least **one** Full power/Class A TV
- **74** towers with **2+** Full Power/Class A TV
- **65** “Complex” sites (Candelabra, Mountaintop, Broadband Antenna)
- **29** owned and operated Broadband UHF antenna systems
- **97** DMAs with towers supporting TV transmission
- Recent information indicates 109+/- towers will be impacted
- Focus has been on 84 “Priority” towers



# ATC Existing BBA's

- › Designs optimized for a certain channel range, pattern and power
- › Some models have full bandwidth but with limitations
- › 13 of 29 optimized for mid to upper UHF band (ch 38+)
- › Lower UHF channel performance may be unacceptable
- › Fully researching to understand limitations and present to repack customers



**29 Systems support 72 Stations**



# New BBA Markets

› Los Angeles

› Dallas

› Boston

› Houston

› Tampa

› San Francisco

› Oklahoma City

› Miami

› Orlando

› Chicago

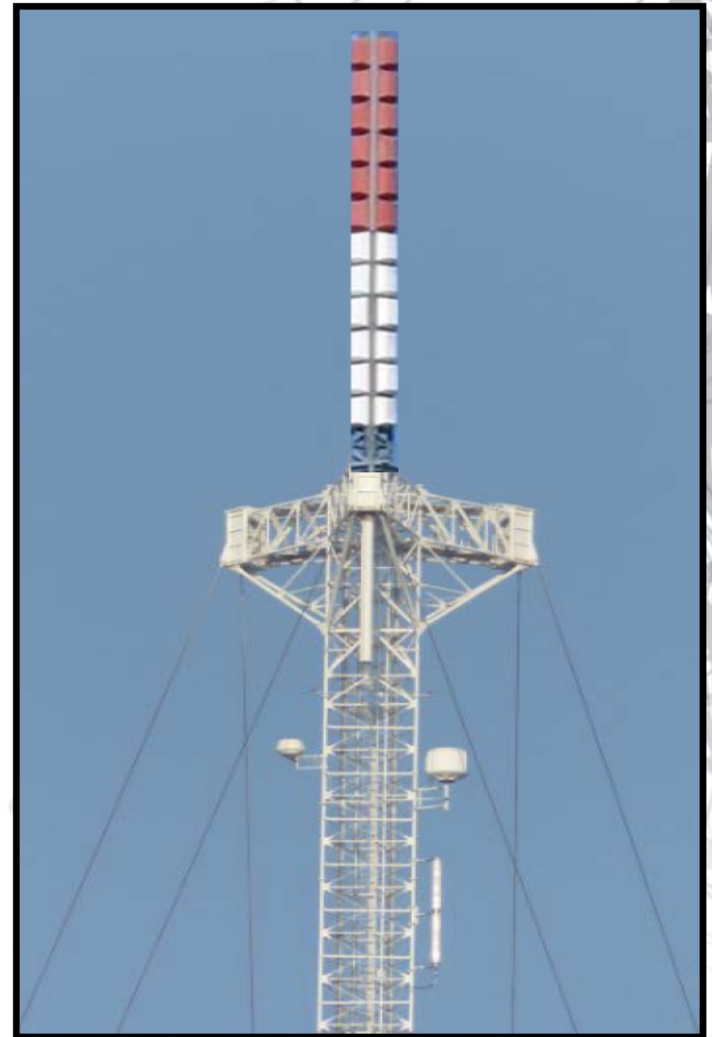
› Philadelphia

› 8 Additional DMAs

In Development

Under Review

Pipeline



# Boston BBA Project

Existing ATC BBA  
H-Pol, Omni  
R/C 1270' AGL

## Existing configuration

**WCVB 20**  
**WBZ 30**  
**WSBK 39**  
**WGBX 43**

**WGBH 19**  
H-Pol, Omni  
R/C 1215' AGL

**WYDN 47**  
H-Pol; Directional  
R/C 1036' AGL

**FM Main 2**  
**Aux 1**  
789' AGL

**WCVB 20 (A)**  
H-Pol; Directional  
R/C 617' AGL

Existing ATC BBA  
H-Pol; Omni  
R/C 1215' AGL

**WFXT 31**  
E-Pol, Cardioid  
R/C 1171' AGL

**WFXT 31 (A)**  
H-Pol, Cardioid  
R/C 1076' AGL

**WBTS-LD 46**  
H-Pol, Directional  
R/C 777' AGL

**FM Aux 4**  
822' AGL

**WLVI 41**  
H-Pol; Directional  
R/C 1128' AGL

**FM Main 3**  
**Aux 8**  
1253' AGL

**WMFP 18**  
H-Pol; Directional  
R/C 990' AGL

**WBPX 32**  
H-Pol; Directional  
R/C 1005' AGL

**WFXZ-DC 24**  
Directional  
R/C 862' AGL

**Needham Heights, Cedar St**  
**1449' Overall AMSL**  
**Site #282685**

**Needham, Cabot St**  
**1352' Overall AMSL**  
**Site #5760**

**Newton, Chestnut St**  
**1347' Overall AMSL**  
**Site #1028**



# Boston BBA Project

## NEW MASTER ANTENNA

Clearance  
1296' AGL  
1449' AMSL

### Main BBA

E-Pol; Omni  
14 Bay top mount  
R/C 1268' AGL  
R/C 1421' AMSL

Reflects new  
supporting structure

**TX Line:** Utilize existing  
dual runs of 8-3/16"  
Dielectric EHT Digitline

**Combiner:** Dual Chain  
combiner with dynamic Pol ratio  
allowing each station to make  
independent Pol changes

**Power:** Utilize existing back-  
up power system(s)

**Needham Heights, Cedar St**  
**1449' Overall AMSL**  
**Site #282685**

## NEW MASTER ANTENNA

Clearance  
1201' AGL  
1352' AMSL

### Aux BBA:

E-Pol; Omni  
14 Bay top mount  
R/C 1174' AGL  
R/C 1325' AMSL

**TX Line:** New single run of  
8-3/16" Dielectric EHT Digitline

**Combiner:** Single Chain  
combiner with ability to add  
second combiner module that will  
allow dynamic Pol capability in  
the future

**Power:** Provide new House  
back-up generator system

**Needham, Cabot St**  
**1352' Overall AMSL**  
**Site #5760**

### Solution:

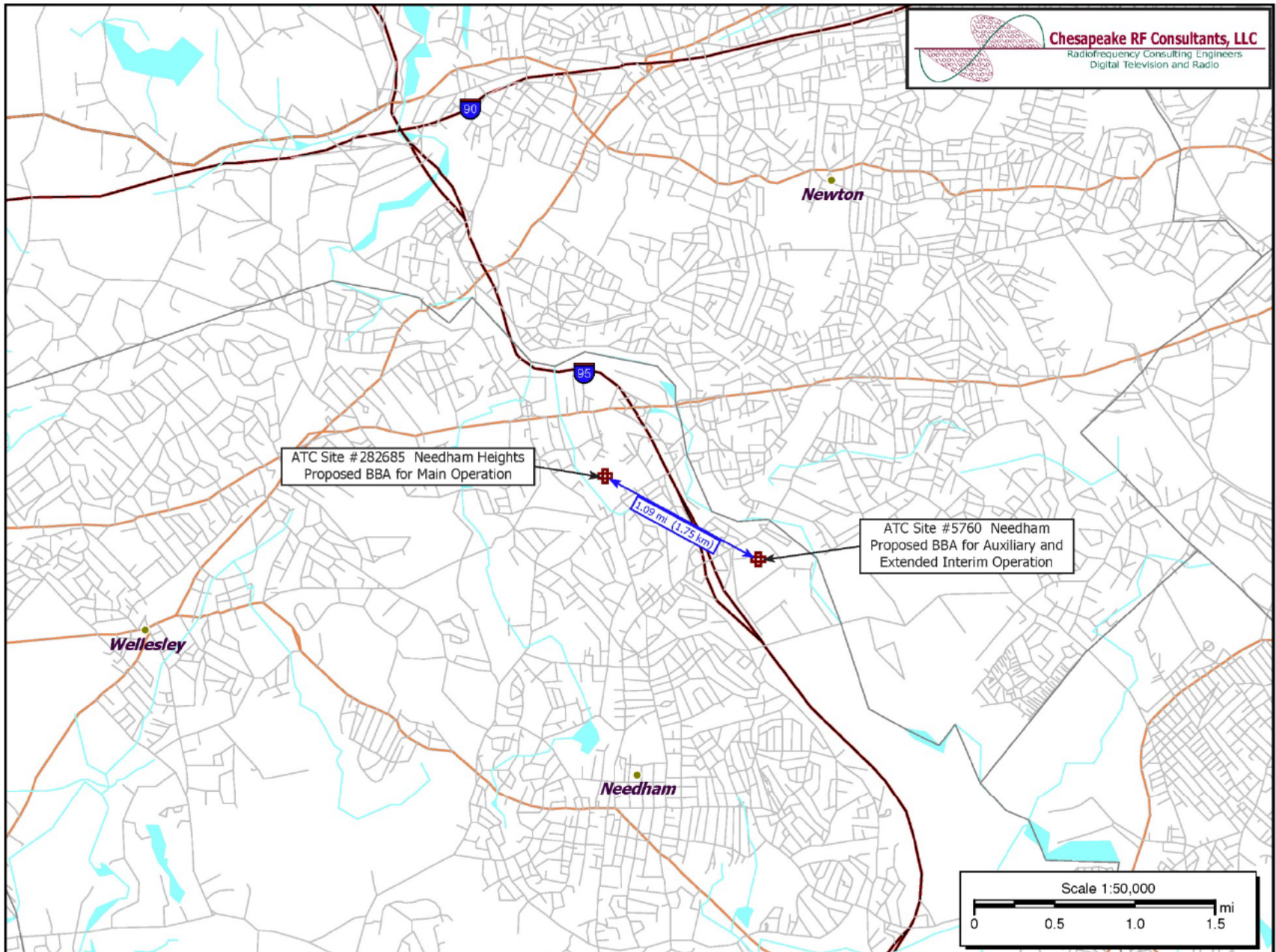
Build Aux E-Pol BBA on Needham  
site and move applicable  
broadcasters to new Needham BBA.

Build new Main broadband antenna  
system at Needham Heights site.

Operate Main/Aux system at  
Needham Heights and Needham  
site.









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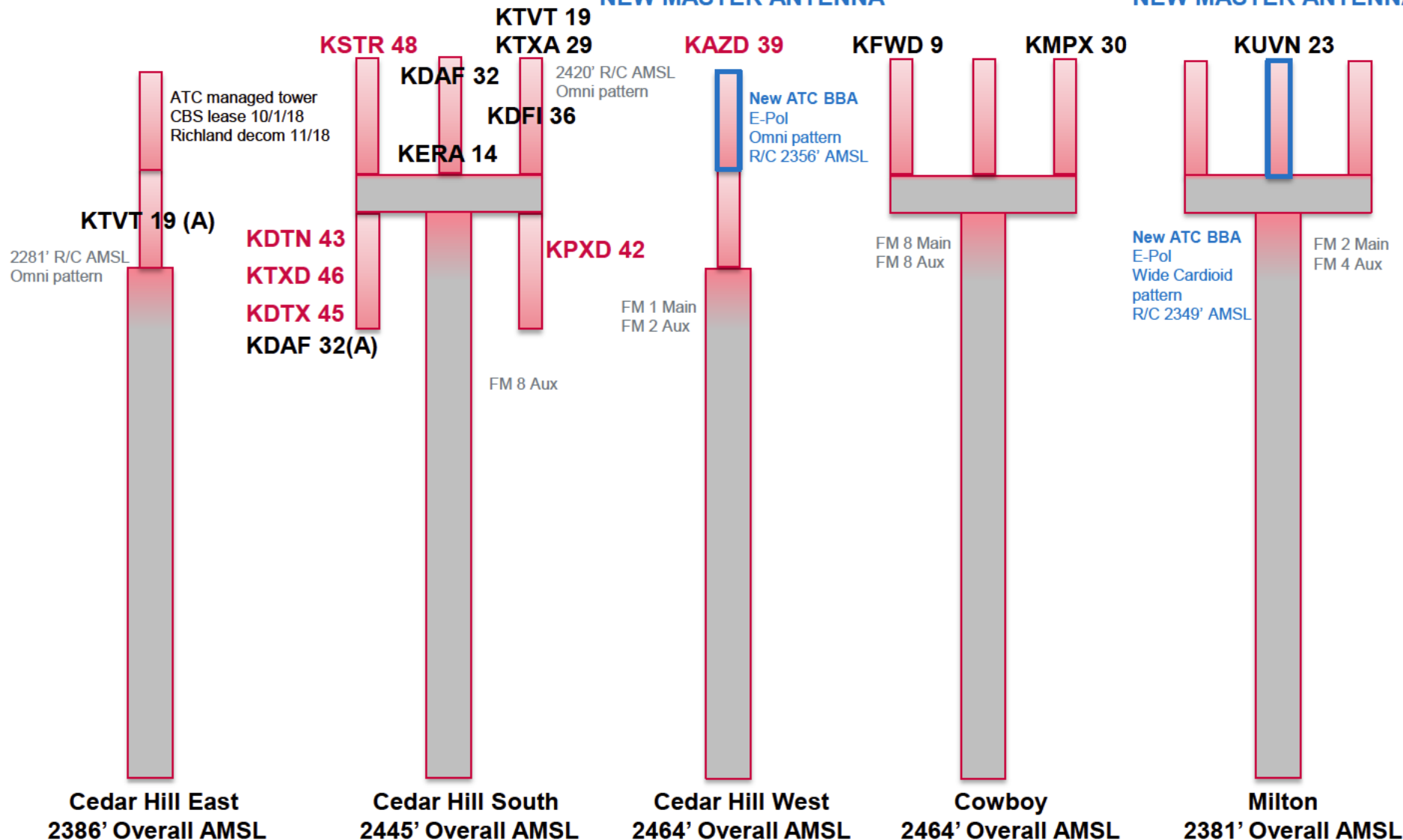
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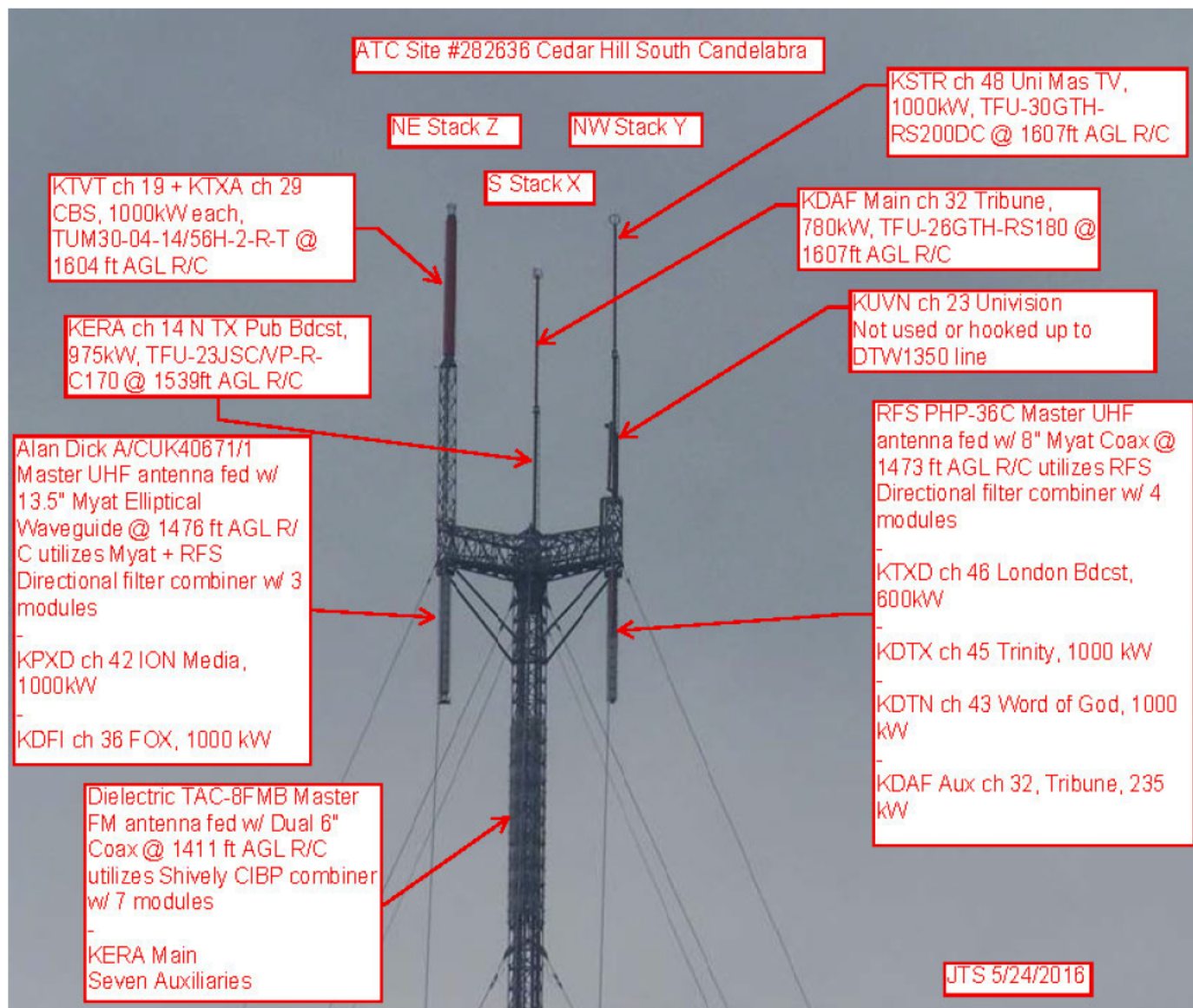
# Dallas BBA Project

NEW MASTER ANTENNA

NEW MASTER ANTENNA

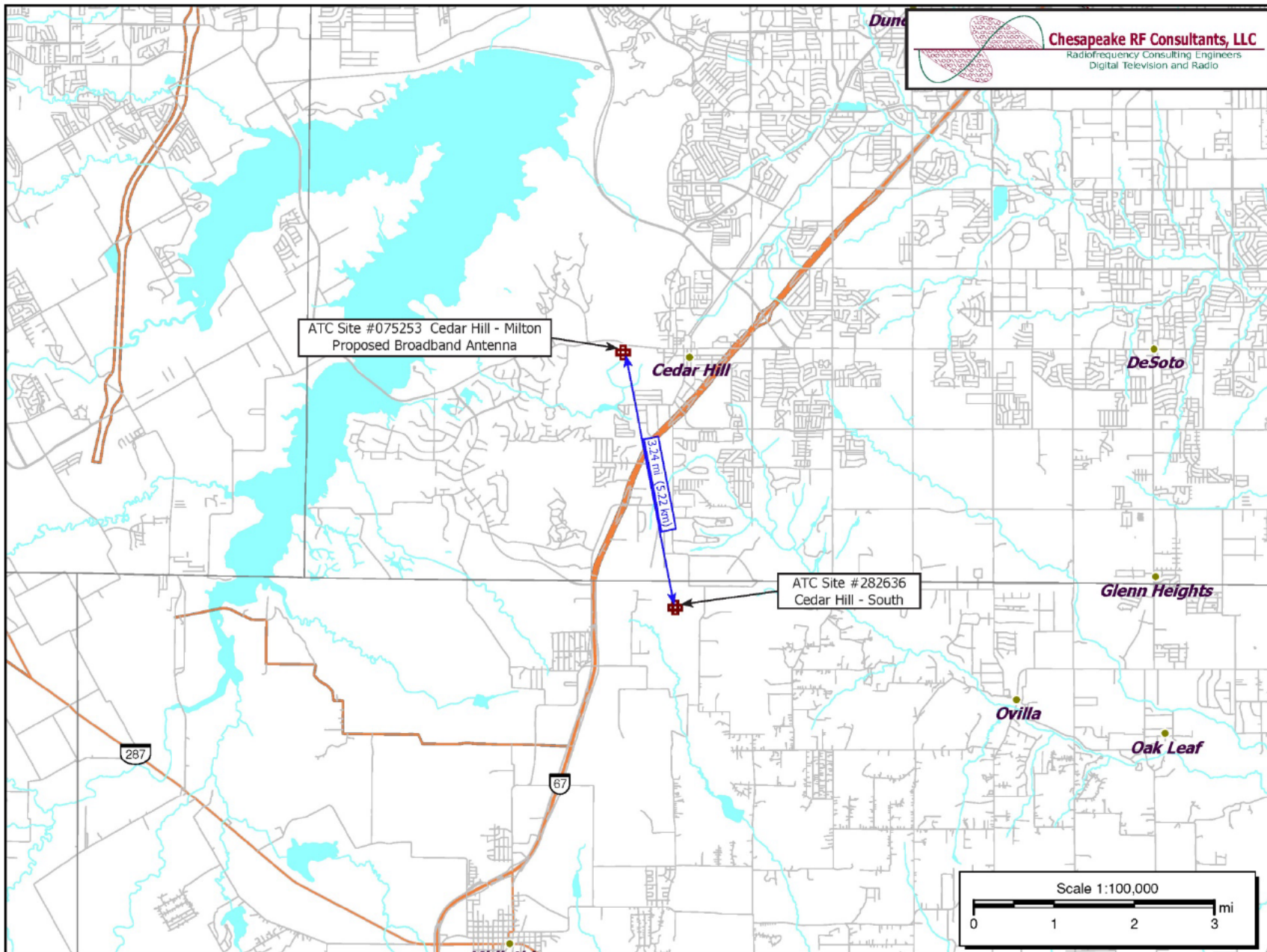


# Dallas BBA Project



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# Houston BBA Project

RFS 16 Bay BBA:  
1960' R/C AMSL  
Wide Cardioid

**KTMD 48**  
**KLTJ 23**  
**KETH 24**  
**KPXB 32**  
**KFTH 36** NW SW NE  
**KUBE 41**

1919' AMSL

Abandoned

8 Bay FM  
Master

**KUGB-CD 28**  
1500' R/C AMSL

FM

FM

FM

**Missouri City RT**  
**#282638 – 2049' AMSL**

## NEW MASTER ANTENNA

Wide Cardioid  
2019' R/C AMSL

**KXLN 45** NW NE SW  
**KTXH 19**  
**KTBU 42**  
**KYAZ 47**

1915' AMSL

**KTXH/KRIV 19/26 (A)**  
1770' R/C AMSL

**KZJL 44**  
1575' R/C AMSL

**KUVM-CD 34**  
1035' C/R AMSL

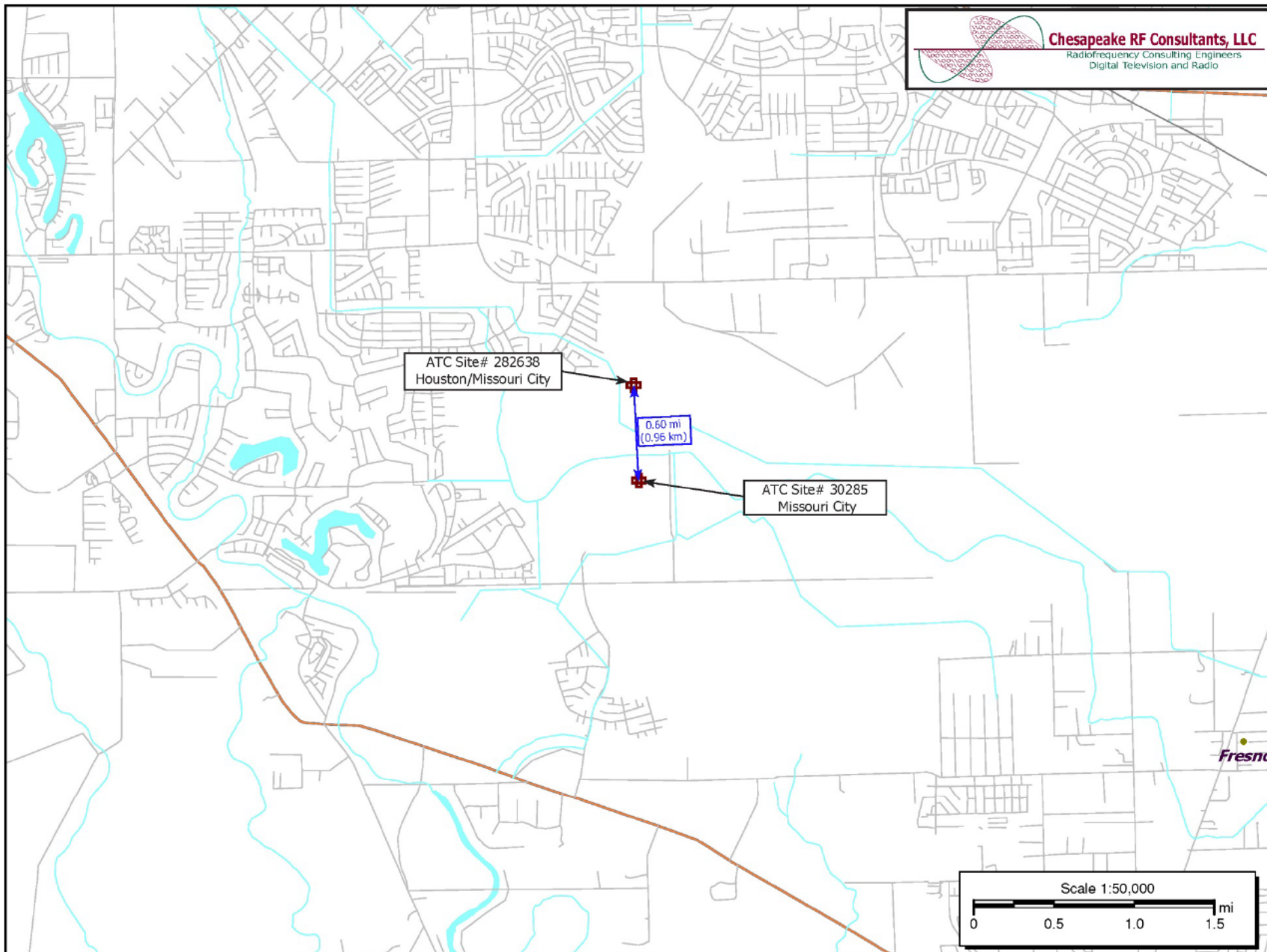
FM 1 Main  
FM 3 Aux

**Missouri City AT**  
**#30285 – 2049' AMSL**



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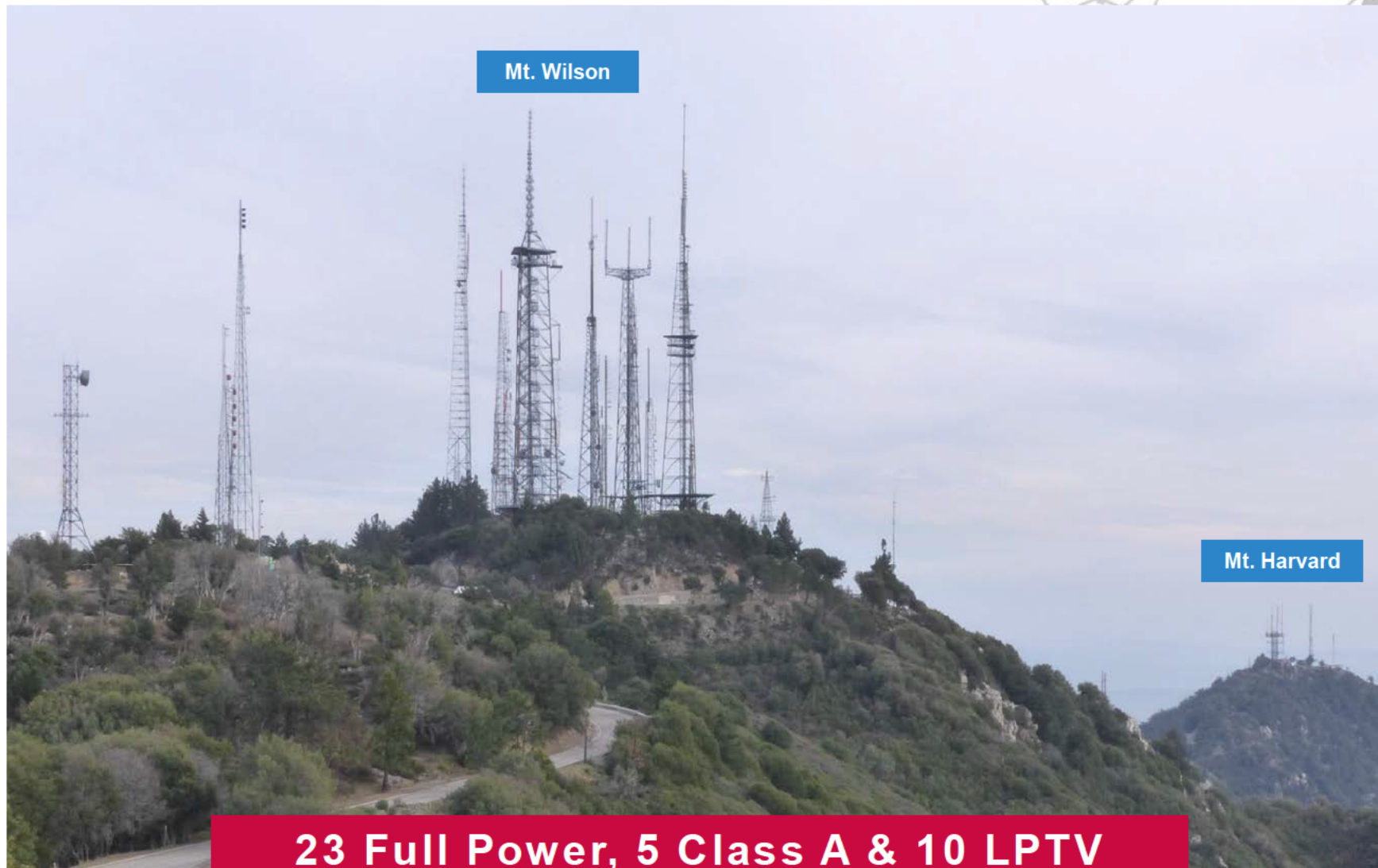
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# Los Angeles BBA Project

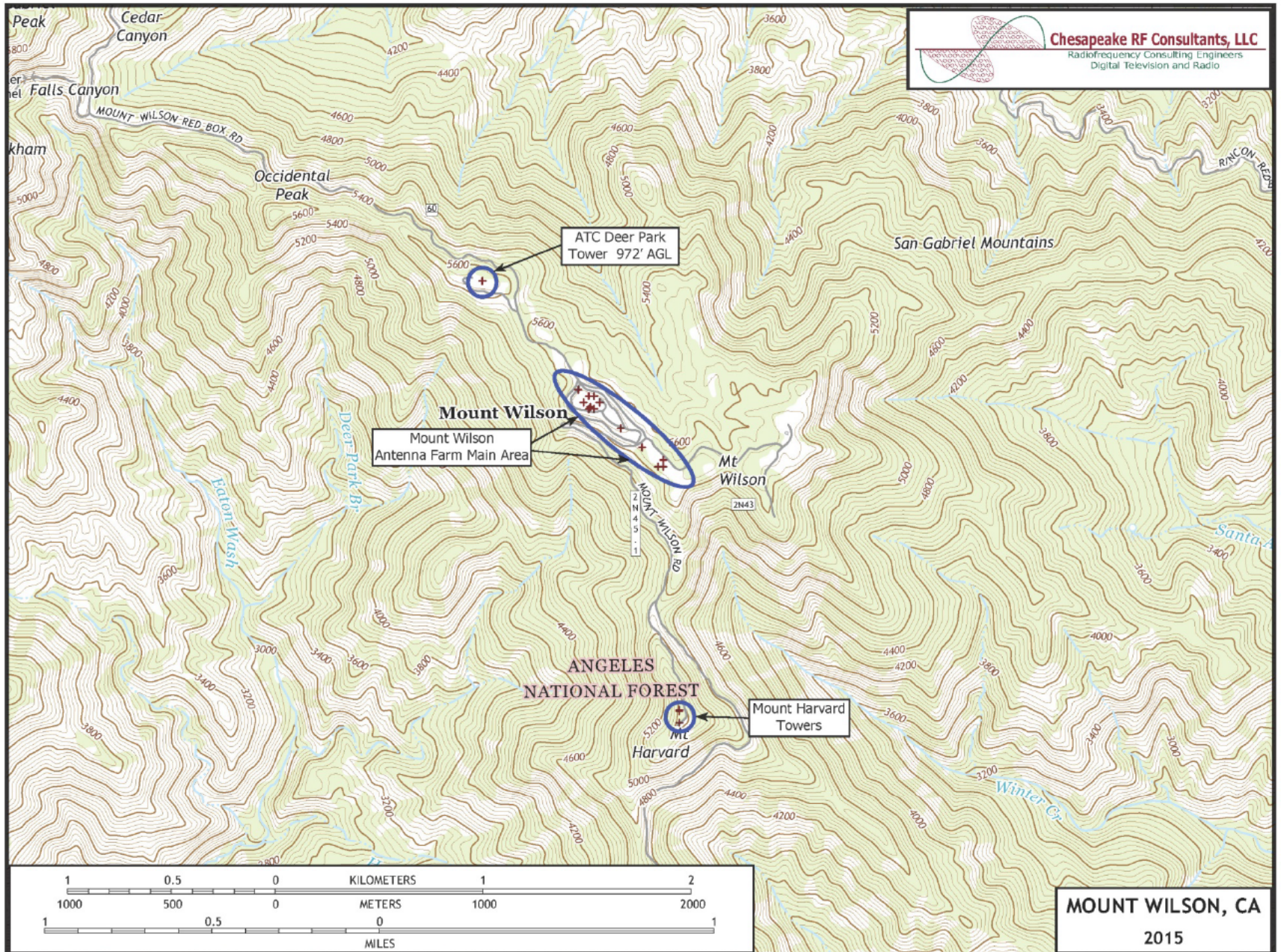


# Los Angeles BBA Project

- › ATC Deer Park Tower Site  
(former KCBS-TV analog facility)
- › 2,500 feet Northwest of Mt. Wilson main tower grouping
- › Located on ATC owned land
- › Preliminary designs for UHF and VHF BBA's







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# Conclusions

- › **ATC is fully committed to meeting implementation stage targets**
- › **Complex sites present unique loading and implementation issues**
- › **ATC believes that many of our complex site repack customers can be best served by new BBA's**
- › **BBA use will require coverage waivers**
- › **Waivers with priority status will be needed to accommodate these customers and build systems before implementation stage**

